

JS 44C/SDNY
REV. 4/2014

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Robert L. Gelfzer, as Chapter 7 Trustee of Kenneth Ira Starr, Starr & Company, LLC, and Starr Investment Advisors, LLC

DEFENDANTS

Annalou Leibovitz a/k/a Annie Leibovitz, Leibovitz Studio, Inc., 305-307 West 11th Street LLC, and 311 West 11th Street LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Robert Wolf, Christopher Tumulty, Tarter Krinsky & Drogin LLP, 1350 Broadway, 11th Floor, New York, New York 10018

ATTORNEYS (IF KNOWN)

Bijan Amini, Avery Samet, and Jeffrey Chubak, Storch Amini & Munves PC, 140 East 45th Street, 25th Floor, New York, New York 10017, (212) 490-4100

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Motion to withdraw the reference pursuant to 28 U.S.C. § 157(d)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒

Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> PHARMACEUTICAL PERSONAL	<input type="checkbox"/> SEIZURE OF PROPERTY
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> 21 USC 881
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 690 OTHER
<input type="checkbox"/> INSTRUMENT	<input type="checkbox"/> SLANDER	<input type="checkbox"/> PRODUCT LIABILITY	
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	
<input type="checkbox"/> OVERPAYMENT &	<input type="checkbox"/> EMPLOYERS'	<input type="checkbox"/> INJURY PRODUCT	
<input type="checkbox"/> ENFORCEMENT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> LIABILITY	
<input type="checkbox"/> OF JUDGMENT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY	
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 370 OTHER FRAUD	
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	
<input type="checkbox"/> DEFAULTED	<input type="checkbox"/> 350 MOTOR VEHICLE		
<input type="checkbox"/> STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE		
<input type="checkbox"/> (EXCL VETERANS)	<input type="checkbox"/> PRODUCT LIABILITY		
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 380 OTHER PERSONAL	LABOR
<input type="checkbox"/> OVERPAYMENT	<input type="checkbox"/> INJURY	<input type="checkbox"/> PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR
<input type="checkbox"/> OF VETERAN'S	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> STANDARDS ACT
<input type="checkbox"/> BENEFITS	<input type="checkbox"/> MED MALPRACTICE	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 720 LABOR/MGMT
<input type="checkbox"/> 160 STOCKHOLDERS		PRISONER PETITIONS	<input type="checkbox"/> RELATIONS
<input type="checkbox"/> SUITS		<input type="checkbox"/> 483 ALIEN DETAINEE	<input type="checkbox"/> 740 RAILWAY MEDICAL
<input type="checkbox"/> 190 OTHER		<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 751 FAMILY MEDICAL
<input type="checkbox"/> CONTRACT		<input type="checkbox"/> VACATE SENTENCE	<input type="checkbox"/> LEAVE ACT (FMLA)
<input type="checkbox"/> 195 CONTRACT		<input type="checkbox"/> 28 USC 2255	
<input type="checkbox"/> PRODUCT		<input type="checkbox"/> 530 HABEAS CORPUS	FEDERAL TAX SUITS
<input type="checkbox"/> LIABILITY		<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or
<input type="checkbox"/> 196 FRANCHISE		<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> Defendant)
			<input type="checkbox"/> 871 IRS-THIRD PARTY
			<input type="checkbox"/> 26 USC 7609
			OTHER STATUTES
			<input type="checkbox"/> 375 FALSE CLAIMS
			<input type="checkbox"/> 400 STATE
			<input type="checkbox"/> REAPPORTMENT
			<input type="checkbox"/> 410 ANTITRUST
			<input type="checkbox"/> 430 BANKS & BANKING
			<input type="checkbox"/> 450 COMMERCE
			<input type="checkbox"/> 460 DEPORTATION
			<input type="checkbox"/> 470 RACKETEER INFLU-
			<input type="checkbox"/> ENCED & CORRUPT
			<input type="checkbox"/> ORGANIZATION ACT
			<input type="checkbox"/> (RICO)
			<input type="checkbox"/> 480 CONSUMER CREDIT
			<input type="checkbox"/> 490 CABLE/SATELLITE TV
			<input type="checkbox"/> 850 SECURITIES/
			<input type="checkbox"/> COMMODITIES/
			<input type="checkbox"/> EXCHANGE
			<input type="checkbox"/> 850 OTHER STATUTORY
			<input type="checkbox"/> ACTIONS
			<input type="checkbox"/> 891 AGRICULTURAL ACTS
			<input type="checkbox"/> 893 ENVIRONMENTAL
			<input type="checkbox"/> MATTERS
			<input type="checkbox"/> 895 FREEDOM OF
			<input type="checkbox"/> INFORMATION ACT
			<input type="checkbox"/> 896 ARBITRATION
			<input type="checkbox"/> 899 ADMINISTRATIVE
			<input type="checkbox"/> PROCEDURE ACT/REVIEW OR
			<input type="checkbox"/> APPEAL OF AGENCY DECISION
			<input type="checkbox"/> 950 CONSTITUTIONALITY OF
			<input type="checkbox"/> STATE STATUTES

Check if demanded in complaint:

☐

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$

OTHER

JUDGE

DOCKET NUMBER

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] []
CITIZEN OF ANOTHER STATE	[] []	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] []	FOREIGN NATION	[] []

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

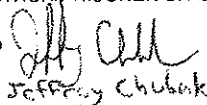
DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
 (DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 07/22/2016 SIGNATURE OF ATTORNEY OF RECORD



ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. 2 Yr. 2008)
 Attorney Bar Code # 4581807

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)